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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,986	01/31/2001	Ron Abraham Gut	AWR-048	4372

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MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

NGUYEN, HAU H

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 05/14/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/774,986

Applicant(s)

GUT ET AL.

Examiner

Hau H Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2004.
2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 31-37 and 43-46 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-15, 31-37 and 43-46 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The examiner would like to acknowledge Applicant's election filed on March 09, 2004 to elect group I (claims 1-15, 31-37, and 43-46).

Response to Arguments

2. Applicant's arguments filed December 18, 2003 have been fully considered but they are not persuasive. In response to Applicant's arguments that reference Conboy et al. (U.S. Patent No. 6,363,418) does not teach a component, the examiner disagrees. First of all, claim 1 recites, "locating at least one component related to the uncached object." As Applicant recited on page 10 of the Specification: "Each component 60 is comprised of a component tag 62 and a component payload 64. The component tag 62 provides information such as a component identifier, a component type, and details relating to the component contents. The component payload 64 contains additional information related to the component 60," the examiner do not know what component claim 1 refers to (either component 60, component tag 62, or component payload 64). The examiner relies "tag attribute" of reference Conboy as component, which teaches "searching for a copy of the image in a cache memory of the viewing device using the image tag attributes," and on column 4, lines 15-32, the image tag attributes comprises LOCALTYPE (for image types), LOCALID or LOCALNAME, and LOCALSIGNATURE. In response to Applicant's arguments that reference Conboy does not teach "constructing, by the cache, the uncached object" the examiner also disagrees because Conboy does teach fetching image using the image remote identification attribute SRC (see col. 4, lines 49-55).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-8, 10, 12-15, 31-34, 36, and 43- 46 are rejected under 35 U.S.C. 102(e) as being anticipated by Conboy et al. (U.S. Patent No. 6,363,418).

Referring to claims 1-2, 31-33, 36, and 43-46, with reference to Fig. 2, Conboy et al. teach a method for on-line controlling caching of an image on a viewing device to efficiently display the image on the viewing device. The method comprises the following steps: (a) sending from a server to the viewing device an image tag included in a hypertext language code, the image tag having attributes, the attributes specifying the image; (b) parsing the hypertext language code including the image tag; (c) searching for a copy of the image in a cache memory of the viewing device using the image tag attributes; (d) displaying the copy of the image if the copy of the image is found in the cache memory and is current; (e) fetching the image from the

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server if the copy of the image is not found in the cache memory or if the copy of the image is not current; and (f) storing the fetched image and the image tag attributes in the cache memory (col. 2, lines 14-28). Conboy et al. further teach the image tag attributes comprises LOCALTYPE (for image types), LOCALID or LOCALNAME, and LOCALSIGNATURE (col. 4, lines 15-32) (component tag), and additional information such as image tag attribute SRC, optional attributes HEIGHT and WIDTH which provide information on the image height and width (component payload) (see col. 4, lines 9-14).

Referring to claims 3-5, as cited above, Conboy et al. teach displaying the copy of the image if the copy of the image is found in the cache memory, and fetching the image from the server if the copy of the image is not found in the cache memory or if the copy of the image is not current.

In regard to claim 6, as cited above in step (f), Conboy et al. teach storing the fetched image and the image tag attributes in the cache memory.

Referring to claims 7-8, 10, 12-15, the method as taught by Conboy et al. is a client-server model, and as explained in col. 1, lines 29-36, a Web server is a program running on a server to serve documents to other computers or devices that send requests for the documents. A Web client is a program that lets the user request documents from a server. To facilitate the downloading of printed materials, the contents of these documents are typically created in a form compatible with the network transmission format. Thus, the documents requested by the client can be an image file, a web page, or just a document.

In regard to claim 34, as stated in col. 1, lines 59-63, Conboy et al. teach if there is no locally cached copy of the image, or if the locally cached version is not current, the viewer

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continues the image transfer and the image will be displayed (and optionally added to the local cache memory). Thus, the image is obtained from the remote storage whether a determination to store in the cache or not.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9, 11, 35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conboy et al. (U.S. Patent No. 6,363,418) in view of Ching-Yung Lin ("Introduction of JPEG 2000", July 13, 2000).

Referring to claims 9, 11, 19, 21, 35, 37, as cited above, Conboy et al. teach all the limitations of claims 9, 11, 19, 21, 35, 37, except that the image file is a JPEG 2000 file.

However, JPEG 2000 is well known in the art as a compressed form of image file for transmitting over a computer network as described in "Introduction to JPEG 2000" by Ching-Yung Lin.

Therefore, it would have been obvious to one skilled in the art to utilize the method of controlling caching of an image as taught by Conboy et al., wherein the image is a JPEG 2000 as taught by Ching-Yung Lin, so that the image can be reconstructed with increasing pixel accuracy or spatial resolution (page 6).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 703-305-4104. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 703-308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

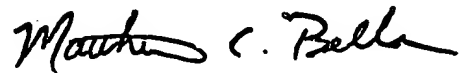
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Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose
telephone number is (703) 306-0377.

H. Nguyen

05/11/2004



MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600